



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

Brunswick Board of Appeals Minutes September 28, 2006

Commission Members Present: Chair Dawn Page, Vice Chair Patricia O'Brien, Secretary Wayne Hawes, and Barbara Baker, Alternate.

Mayor & Council Present: None.

Staff Present: Development Review Planner Jeff Love, and Planning & Zoning Administrator Rick Stup.

Chair Page called the meeting to order at 7:00 PM.

Minutes:

The minutes for the August 24, 2006 meeting were reviewed and approved with a minor amendment, (motion by Mrs. Baker and seconded by Ms. Page, passed Yea 2 Nay 0 Abstain 1 - Mr. Hawes).

Chair:

Mr. Stup requested confirmation of those who wish to attend the MCPA Conference at the University of Maryland, on Friday, October 13, 2006.

Mr. Stup reviewed the Board of Appeals Agenda Package previously distributed, and the information distributed on the Dais.

Old Business:

Zoning – Variance

Keith & Courtney Brown – Two Resolutions for the request for a Variance from the Lot Area, Setbacks and Parking & Loading Requirements for the existing duplex dwelling in order to subdivide the property into two lots, located at 110 & 112 North First Avenue, on corner of North First Avenue and Alley No. 26 (Tax Map 202, Parcel 1067). Zoned R-1, BR-BOA-06-01-V

Staff Presentation

Mr. Love presented Board of Appeals Resolution No. BR-R-06-02, and answered Board questions.

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Applicant: No comments.

Testimony In Support: None.

Testimony In Opposition: None.

Rebuttal: None.

Ms. O'Brien and Mr. Hawes stated that they would refrain from voting on the Resolutions since they were absent from the August meeting. Ms. O'Brien relinquished her seat to the Alternate Member, Ms. Baker.

Decision

Ms. Baker made a motion to approve Resolution BR-06-02; Ms. Page seconded the motion.

VOTE: Yea 2 Nay 0 Abstain 1 (Mr. Hawes)

Staff Presentation

Mr. Love presented Board of Appeals Resolution No. BR-R-06-03, and answered Board questions.

Applicant: No comments.

Testimony In Support: None.

Testimony In Opposition: None.

Rebuttal: None.

Decision

Ms. Baker made a motion to approve Resolution BR-06-03; Ms. Page seconded the motion.

VOTE: Yea 2 Nay 0 Abstain 1 (Mr. Hawes)

Zoning – Administrative Error

Leah Eanes - Applicant appeal for an Administrative Error of the Zoning Administrator Interpretation of a Lot of Record Definition with regard to the property at 49 East D Street, located on the north side of East D Street, west of Second Avenue (Tax Map 202, Parcel 1190). Zoned OS, BR-BOA-06-02-AE (Continued from July 27, 2006)

Mr. Love stated for the record that the applicant had officially withdrawn the application.

New Business

Zoning – Special Exception

Leah Eanes - Request for a Special Exception for the construction of a Residential Duplex Dwelling or a Single Family Dwelling on the property at 49 East D Street,

located on the north side of East D Street, west of Second Avenue (Tax Map 202, Parcel 1190). Zoned OS, BR-BOA-06-03-SE

Mr. Love stated for the record that the applicant had officially withdrawn the application.

Zoning – Variance - Request for Reconsideration

Ms. O'Brien relinquished her seat to the Alternate Member, Ms. Baker.

Keith & Courtney Brown - Request for reconsideration of the Board Action on the request for a Variance from the Lot Area, and Setbacks Requirements for the existing duplex dwelling in order to subdivide the property into two lots, located at 110 & 112 North First Avenue, on corner of North First Avenue and Alley No. 26 (Tax Map 202, Parcel 1067). Zoned R-1, BR-BOA-06-01-V

Mr. Stup explained the Board options with regard to the request. If the Board determines that there is justification to vote in favor of the request, and there is new supplemental information, the case cannot be heard until November 16th.

Applicant:

Ms. Courtney Brown, Applicant, read a statement with detailed explanation of the request prepared by her husband who could not attend the meeting, explained his request for reconsideration of the case, and answered Board questions.

Decision

With no action by the Board, the Reconsideration Request failed for lack of a motion.

Board Matters:

Staff Draft 2007 Filing Procedures and Schedule

Staff presentation of the draft 2007 Filing Procedure & Schedule

Mr. Stup presented the Staff Draft of the Meeting/Submission Schedule for 2007 with tentative reschedule dates. There was a direct conflict with the Thanksgiving Holiday, but none for the Christmas Holiday. The date of the November meeting was adjusted in accordance with Board discussions for the 2006 Schedule, (motion by Mr. Hawes and seconded by Ms. Baker, unanimously passed).

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By-Laws & Procedures

Review and discussion of the By-Laws and Procedures for the Board of Zoning Appeals for possible revisions.

Mr. Stup reviewed portions of the Board of Appeals By-Laws and Procedures for the Board of Appeals for possible amendment in accordance with Article 22.2 of the Zoning Ordinance.

After some discussion on the content, additions and deletions and some corrections, it was the consensus of the Board that the By-Laws and Procedures were acceptable, and Staff should proceed with the amendments (motion by Mr. Hawes and seconded by Ms. Baker, unanimously passed).

Mr. Stup indicated that there hadn't been any items filed for the October 26, 2006 meeting. Unless otherwise notified, the next meeting is scheduled for November 16, 2006, which is one week earlier due to the Thanksgiving Holiday.

Public Comment:

None.

Adjournment:

The meeting was adjourned at: 8:00 PM.

Respectfully submitted,

Dawn J. Page, Chair
Brunswick Board of Appeals